

3652

PATENT APPLICATION



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

re application of

**Bernhard ALLGAIER**

**Confirmation: 4361**

**Appln. No.: 10/073,472**

**Examiner: Eileen D. Lillis**

**Filed: February 11, 2002**

**Group Art Unit: 3652**

**For: LIFTING DEVICE**

**Attorney Docket No.: 2368.129**

**Customer number: 000041288**

**INFORMATION DISCLOSURE STATEMENT**  
**UNDER 37 C.F.R. §1.97 and §1.98**

**Mail Stop Amendment  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450**

**Sir:**

In accordance with the duty of disclosure under 37 C.F.R. §1.56, Applicants hereby notify the U.S. Patent and Trademark Office of the following documents which were cited by the German Patent Examiner during the prosecution of the corresponding German application. Copies of the documents set forth below and listed on the attached Form PTO-1449, along with a copy of the German Examination Report.

1. U.S. Patent No. US RE 25 673 E
2. German Patent No. DE 23 32 808 A1

**Document 1**

U.S. Patent No. US RE 25 673 E entitled, "Container Sorting Apparatus" published on November 3, 1964.

Document 1 is in the English language.

**Document 2**

German Patent No. DE 23 32 808 A1 entitled, "Vorrichtung zum Umsetzen von Stueckgut aus einer Rollenbahn" published on June 28, 1973.

Document 2 is in the German language.

Applicants are not aware of any English language document equivalent to or in the Patent Family of Document 2.

The present Information Disclosure Statement is being filed after the later of three months from the application's filing date and the mailing date of the first Office Action on the merits, but before a final Office Action or Notice of Allowance (whichever is earlier) and, therefore, Applicants are filing concurrently herewith a Certification Under 37 C.F.R. §1.97(e). No fee under 37 C.F.R. §1.17(p) is required.

The submission of the listed documents is not intended as an admission that any such document constitutes prior art against the claims of the present application. Applicant does not waive any right to take any action that would be appropriate to antedated or otherwise remove any listed document as a competent reference against the claims of the present application.


Applicant respectfully requests that the listed documents be considered by the Examiner and be made of record in the present

U.S. Application No.: 10/073,472  
INFORMATION DISCLOSURE STATEMENT

Attorney Docket No.: 2368.129

application, and that an initialed copy of Form PTO-1449 be returned in accordance with MPEP §609.

Respectfully submitted,

  
Evelyn A. Defillo  
Reg. No. 45,630

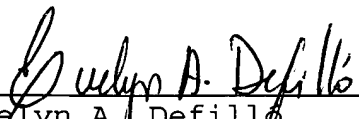
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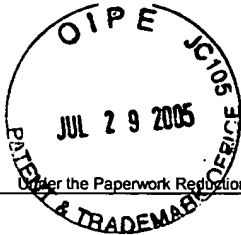
Dated: July 27, 2005

**CERTIFICATE OF MAILING AND AUTHORIZATION TO CHARGE**

I hereby certify that the foregoing INFORMATION DISCLOSURE STATEMENT Form PTO-1449, including to (2) documents, for U.S. Application No. 10/520,762 filed January 10, 2005, were deposited in first class U.S. mail, postage prepaid to: Mail Stop, P. O. Box 1450, Alexandria, VA 22313-1450, on July 27, 2005.

The Commissioner is hereby authorized to charge any additional fees which may be required at any time during the prosecution of this application without specific authorization, or credit any overpayment, to Deposit Account No. 16-0877.

  
Evelyn A. Defillo



Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449/PTO

## INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet 1 of 1

### Complete If Known

Application Number	10/073,472
Filing Date	February 11, 2002
First Named Inventor	Bernhard Allgaier
Art Unit	3652
Examiner Name	Eileen D. Lillis
Attorney Docket No.	4064.002

### U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	Document Number Number-Kind Code <sup>2</sup> (If Known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		US- 25 673 E	11-03-1964	ROBERT V. BURT	See Transmittal Letter
		US-			
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### NON-PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published	T <sup>2</sup>

### FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document Country Code <sup>3</sup> Number <sup>5</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T
		DE 23 32 808 A1	06-28-1973	RICHARD GEBHARDTS	See Transmittal Letter	

Examiner Signature

Date Considered

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. 1 Applicant's unique citation designation number (optional). 2 See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. 3 Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). 4 For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. 5 Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. 6 Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

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CERTIFICATION UNDER 37 C.F.R. §1.97(e)

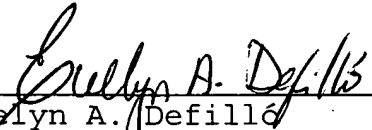
Mail Stop Amendment  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

Sir:

The undersigned hereby certifies:

That each item of information contained in the Information Disclosure Statement filed concurrently herewith was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of said Information Disclosure Statement.

Respectfully submitted,

  
\_\_\_\_\_  
Evelyn A. DeFillis  
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Dated: July 27, 2005

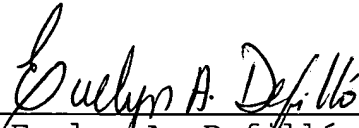
U.S. Application No.: 10/073,472  
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The Commissioner is hereby authorized to charge any additional fees which may be required at any time during the prosecution of this application without specific authorization, or credit any overpayment, to Deposit Account No. 16-0877.

  
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Evelyn A. DeFillio